

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78454

Wolfgang BAUMERT

Appn. No.: Not Assigned

Confirmation No.: Not Assigned

Group Art Unit: Not Assigned

Filed: November 25, 2003

Examiner: Not Assigned

For: **METHOD OF DETERMINING AN EYE DIAGRAM OF A DIGITAL SIGNAL**

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT
ATTORNEY DOCKET NO. Q78454

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: November 25, 2003

Substitute for Form 1449 A & B/PTO				<i>Complete if Known</i>	
<u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u>				Application Number	Not Assigned
				Confirmation Number	Not Assigned
				Filing Date	November 25, 2003
				First Named Inventor	Wolfgang BAUMERT
				Art Unit	Not Assigned
				Examiner Name	Not Assigned
Sheet	1	of	1	Attorney Docket Number	Q78454

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document Number		Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)	
		US 4,272,845	A	06-09-1981 Fiumani
		US 5,333,147	A	07-26-1994 Nohara et al.
		US 5,774,242	A	06-30-1998 O'Sullivan et al.
		US 5,736,875	A	04-07-1998 Sakamoto et al.
		US		

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		ELLEMAYER, T., LANGMANN, U., WEDDING, B. AND POHLMANN, W.: "A 10 Gb/s Eye-Opening Monitor IC for Decision-Guided adaptation of the Frequency Response of an Optical Receiver" IEEE Journal of Solid-State Circuits, vol. 35, no. 12, December 2000, XP002247996.	Yes

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.